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Attorneys for Plaintiffs MARIE DEMARTINI, and JOSE SOTO
on behalf of themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MARIN

MARIE DEMARTINI, WILLIE
AUSTIN, JR., and JOSE SOTO, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

SAFELITE FULFILLMENT, INC.,
DBA SAFELITE AUTO GLASS, a
Delaware Corporation; SAFELITE
SOLUTIONS, LLC, a Delaware
Corporation; BARRETT BUSINESS
SERVICES, INC., a Maryland
Corporation; and DOES 1-50, inclusive,

Defendants.

Case No. CIV20002076

Assigned for All Purposes To:
Hon. Sheila Lichtblau
Dept. H

**DECLARATION OF JAMES HAWKINS
IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT AND AWARD
OF ATTORNEYS' FEES, COSTS, AND
CLASS REPRESENTATIVE SERVICE
PAYMENT**

Date: January 22, 2025
Time: 1:30 p.m.
Dept.: Courtroom H

1 I, James Hawkins, declare as follows:

2 1. I am an attorney at law licensed to practice before the courts of the State of
3 California. I am an attorney with the law firm of James Hawkins, APLC, counsel of record for
4 Plaintiffs Marie Demartini and Jose Soto (with Plaintiff Willie Austin Jr., the “Plaintiffs”). I am
5 thoroughly familiar with and have personal knowledge of all of the facts set forth herein. If
6 called as a witness, I could and would competently testify thereto.

7 2. I submit this declaration in support of Plaintiffs’ Motion for Final Approval of
8 Class Action Settlement and Award of Attorneys’ Fees, Costs, and Class Representative Service
9 Payment.

10 **THE COURT GRANTED PRELIMINARY APPROVAL OF**
11 **THE CLASS ACTION SETTLEMENT**

12 3. On August 22, 2024, the Court granted preliminary approval of the Settlement
13 Agreement between Plaintiffs and Defendants Safelite Fulfillment, Inc., Safelite Solutions, LLC
14 and Barrett Business Services, Inc. (“Defendants”)(together with Plaintiffs, “the Parties”).

15 4. In connection with the Preliminary Approval Order, the Court determined that the
16 following persons are “Class Members” for settlement purposes only: “all individuals currently or
17 formerly employed by Safelite Fulfillment and or Safelite Solutions in California as hourly, non-
18 exempt employees during the Class Period and all employees employed as temporary workers by
19 BBSI at Safelite Solutions’ distribution center as hourly, non-exempt employees in Ontario,
20 California during the Class Period.” The Class Period is defined as January 28, 2019 through May
21 22, 2023.

22 5. The Court appointed Plaintiffs Marie Demartini, Willie Austin Jr., and Jose Soto
23 as the Class Representatives, and James Hawkins APLC and Blumenthal Nordrehaug Bhowmik
24 De Blouw LLP as Class Counsel.

25 6. The Court found on a preliminarily basis that the Settlement Agreement appeared
26 to be fair, adequate, and reasonable. The Court approved the Notice of Proposed Class Action
27 Settlement and Hearing Date for Final Court Approval (“Class Notice”) and distribution of the
28 Class Notice to the Class. Additionally, the Court further preliminarily approved the formulas

provided in the Settlement Agreement for calculating Individual Class Settlement Shares to the Class Members and Individual PAGA Settlement Shares to Aggrieved Employees using a work week based calculation.

7. The Court also appointed ILYM Group, Inc. (“ILYM” or “Settlement Administrator”), as the settlement administrator. Since then, ILYM has worked diligently with Class Counsel and counsel for Defendants to efficiently administer the Settlement.

SUMMARY OF SETTLEMENT TERMS PRELIMINARILY APPROVED

8. Gross Settlement Amount: Defendants will pay the maximum amount of \$3,000,000 in settlement of the entire case, plus Defendants’ share of payroll taxes. The entire Gross Settlement Amount will be paid out with no residuals kept or reversion to Defendants.

9. Net Settlement Amount: The Net Settlement Amount is estimated to be \$1,862,486.53, which is the amount available for distribution to Participating Class Members after deducting (1) Class Counsel’s attorneys’ fees and costs (\$1,022,513.47), (2) the Service Payment to the Class Representatives (\$30,000), (3) the Settlement Administrator’s costs (\$25,000), and (4) the PAGA Payment to the LWDA and Aggrieved Employees (\$60,000). If the Court approves a lesser amount of any of the above-mentioned costs, the Net Settlement Amount will increase proportionately.

10. Settlement Administration Fees: The Settlement Administrator will receive \$25,000 for serving as the Settlement Administrator and to cover the costs of the settlement administration.

11. Calculations of Individual Settlement Payments: The Settlement Administrator will calculate Individual Class Settlement Shares dividing the Net Settlement Amount by the total number of work weeks worked during Class Period, and multiplying the result by the total number of work weeks worked during Class Period by the Class Member. The parties have agreed that based on the nature of the class claims, 25% of Individual Class Settlement Shares will be allocated to wages from which the Settlement Administrator will deduct the employee portion of payroll taxes. The remaining 75% will be allocated to the settlement of disputed claims for interest and penalties.

1 12. Release by Participating Class Members: As of the Effective Final Settlement Date
2 and Defendants' funding of the Gross Settlement Amount, Participating Class Members will
3 release the Released Parties from the Release Claims as defined in § 4 of the Settlement
4 Agreement. Plaintiffs will also generally release Defendants and Released Parties of all claims and
5 a waiver of Section 1542 of the California Civil Code.

6 **THE SETTLEMENT ADMINISTRATOR HAS CARRIED OUT**
7 **THE NOTICE PROCEDURES**

8 13. The Parties and the Settlement Administrator successfully delivered notice of the
9 Court's Preliminary Approval Order to the Settlement Class. As detailed in the Declaration of
10 Nathalie Hernandez Regarding Settlement Administration, Class Notice was mailed to 2,735 Class
11 Members on the Class List provided by Defendants. Ultimately, 97.7% of Class Members received
12 the Class Notice.

13 14. I believe that this excellent result of successfully delivering the Notices to 97.7%
14 of the Class Members was achieved through the efforts of Class Counsel and the Settlement
15 Administrator.

16 15. No Class Members submitted an objection to the Settlement which I believe
17 reinforces that the Settlement is fair, adequate and reasonable. In addition, no Class Member
18 challenged the number of work weeks credited in their Class Notice.

19 16. I also understand that only four Class Members have requested exclusion from the
20 Settlement, which means that 99.85% of Class Members will participate in the Settlement and
21 receive their Individual Class Settlement Share of the Net Settlement Amount.

22 17. The Court preliminarily approved \$25,000 from the Settlement to cover the costs
23 associated with ILYM's work in administering the Settlement. I respectfully submit that I believe
24 this sum is appropriate.

25 **THE SETTLEMENT IS FAIR, REASONABLE AND ADEQUATE**

26 18. Plaintiffs and Defendants entered into the proposed Settlement Agreement only
27 after conducting an extensive investigation, exchanging voluminous documents, and
28 participating in a full-day mediation session with mediator Hon. John Leo Wagner, Ret. Thus,

1 the Settlement is the product of an arms-length negotiations assisted by an experienced wage and
2 hour mediator.

3 19. Based on my experience, I believe that the proposed Settlement is fair, reasonable
4 and adequate and represents a great result for the Class Members. As detailed in my Declaration
5 in Support of Preliminary Approval, although Plaintiffs and Class Counsel compromised to
6 achieve the Settlement, the compromise is extremely fair, reasonable and adequate when
7 compared to the realistic value of the class claims and considering the substantial risks involved
8 in pursuing further litigation including the possibility of appeals by either party that would serve
9 to increase the amount of time in which Class Members could possibly see some benefits.

10 20. When we considered the substantial risks involved in pursuing further litigation,
11 we considered the benefits of a class action settlement compared to a PAGA only settlement, and
12 maximizing the amount of money paid to Class Members. We also considered the likelihood of
13 obtaining a similar or greater recovery in the event Plaintiffs obtained a judgment in her favor.
14 Furthermore, we examined the likelihood of managing a PAGA action and/or obtaining class
15 certification on behalf of a class of diverse employees and maintaining the class action status
16 through trial. In addition, if this case were to continue as a class action through trial, we considered
17 that both Parties will necessarily incur substantial litigation expenses, including the expense and
18 time of analyzing voluminous document, and finding and hiring statisticians and other expert
19 witnesses to testify at trial.

20 21. In addition to the substantial risks and uncertainty inherent in continued litigation,
21 Plaintiffs and Defendants face the *certainty* that further litigation—potentially through trial and
22 appeals—would be expensive and time consuming. Therefore, the proposed Settlement is both
23 fair and reasonable in light of Defendants asserted legal and factual grounds for defending against
24 the putative class claims and the risks of not obtaining and/or maintaining class certification
25 through the trial of the action and after any appeals.

26 **THE CLASS REPRESENTATIVE SERVICE AWARD IS JUSTIFIED**

27 22. Under the terms of the Settlement Agreement, Plaintiffs seek service payment in
28 the amount of \$10,000 each (\$30,000 total), for their service in filing and prosecuting this class

1 action on behalf of the Class Members and Aggrieved Employees.

2 23. I strongly support the service payments to Plaintiffs and Defendants do not oppose
3 the amount requested. Such amount was reached as the product of arm's length negotiations.
4 Plaintiffs' assistance to Class Counsel and services to the Class have been invaluable. (See
5 generally, Declarations of Marie DeMartini, Willie Austin, Jr. and Jose Soto). Thus, I believe that
6 the requested payments to Plaintiffs as Class Representatives are justified, fair and warranted.

7 24. By pursuing this representative action lawsuit that, in this information age, can
8 easily be discovered by prospective employers demonstrates that Plaintiffs have placed the interest
9 of the Class above their own. Additionally, Plaintiffs made the decision from the very beginning
10 of the litigation to protect the interest of the other employees by not wavering from her decision to
11 prosecute and settle the claims on behalf of other employees and the State of California for a
12 settlement that was in the best interests of the Class Members and Aggrieved Employees. I do not
13 believe that Plaintiffs have any interests that are adverse or antagonistic to the Class Members'
14 interests.

15 25. Plaintiffs were a crucial participant in the prosecution of this litigation. Plaintiffs
16 worked closely with Class Counsel in all aspects of the litigation in this case. They provided an
17 extraordinary amount of factual information necessary for the prosecution and settlement of the
18 claims. This information proved invaluable in our settlement discussions. Plaintiffs also spent a
19 significant amount of time searching for and producing documents in the case and assisting in the
20 review and interpreting the voluminous documents produced by Defendants. Plaintiffs actively
21 participated in this litigation during all stages.

22 26. As part of the consideration for the enhancement payment, Plaintiffs also agreed
23 to enter into a broader release of claims against Defendants as opposed to the narrowly drafted
24 release for the other Class Members.

25 27. Plaintiffs took on significant risks, including the potential that the lawsuit may
26 affect their ability to obtain future employment as well as the risk of paying an award of costs to
27 Defendants if they were not successful in litigating their claims. There was also a significant risk
28 that, if the litigation was not settled, Plaintiffs would be unable to pursue the action on a class or

1 representative basis through trial and thereby not recover on behalf of any other employees.

2 28. Plaintiffs have been exceptional Class Representatives and the Class has benefited
3 immensely from her services. The service payment is reasonable in light of the time and effort
4 Plaintiffs has spent on this litigation since the inception of each of the lawsuits that resulted in this
5 settlement, and the excellent result she obtained on behalf of the Class. Thus, I submit the service
6 payments to Plaintiffs are appropriate and justified as part of the overall Settlement and warrant
7 final approval.

8 **CLASS COUNSEL'S EXPERIENCE**

9 29. In 1993, I graduated from the University of California, Los Angeles with a Bachelor
10 of Arts Degree. Following graduation, I attended Whittier Law School. In 1996, while a full-time
11 law student, I was also a full-time Judicial Extern for the Honorable Consuelo B. Marshall, United
12 States District Court, Central District. After approximately five months of service for Judge
13 Marshall, I became a full-time extern for the United States same year, I was admitted to practice
14 law in the State of California. Attorney's Office, Central District of California. My externship
15 lasted for approximately five months. Thereafter, in 1997, I graduated from Whittier Law School.
16 The same year, I was admitted to practice law in the State of California.

17 30. From 1997 to 2007, I was a named partner at Hawkins & Sofonio, a law firm based
18 out of Irvine, California. At Hawkins & Sofonio, I pioneered the employment department litigating
19 plaintiff-related employment issues such as: Wrongful Termination, Age Discrimination,
20 Disability, Wage and Hour and Sexual Harassment claims. Through the success and experience I
21 obtained litigating employment related matters. I commenced litigating Wage and Hour Class
22 Actions in 2002. Since then, I have spent the vast majority of my practice litigating Wage and
23 Hour Class Actions.

24 31. In 2007, I incorporated my wage and hour class action practice as James Hawkins,
25 APLC. Since its inception, this law firm has been exclusively involved in class action and complex
26 litigation. In 2009, I opened an additional office in Miami, Florida, prosecuting wage and hour
27 class actions. Since 2002, I have been the lead or co-lead counsel in all of the cases listed below:
28

1 32. James Hawkins APLC has a great deal of experience in wage and hour class action
2 litigation. I have been certified and approved as class counsel in many other wage/hour class
3 actions, and I am currently litigating numerous others before this Court and others. Although not
4 an all-inclusive list, over the years I have prosecuted the following class action matters as lead
5 and/or co-lead counsel, all of which implicated similar law and facts to those associated with this
6 Action:

- 7 a. Mojica v. Compass Group, Inc., et. al., USDC Central District, Case No. 8:13-cv-
8 01754. Wage and Hour Class Action case seeking past wages for meal and rest
9 break violations for production workers in the State of California. Plaintiff's
10 Counsel preliminarily appointed as Class Counsel. Case settled. Final approval
11 granted, and funds fully disbursed.
- 12 b. Dao v. 3M Company, et al. USDC, CENTRAL DISTRICT, Case No. CV-08-
13 04554. Wage and Hour Class Action case seeking past wages for "off the clock,"
14 overtime and meal and rest break violations for production workers in the State of
15 California. Plaintiff's Counsel appointed as Lead Counsel. Case settled, Final
16 Approval granted, no objections and funds fully distributed.
- 17 c. Ortiz v. Kmart, USDC, CENTRAL DISTRICT, Case No. SACV 06-638 ODW.
18 Wage and Hour Class Action case seeking past wages for meal and rest period
19 violations for retail employees in the State of California. Plaintiff's counsel
20 appointed co-lead counsel. Case settled, Final Approval granted, no objections
21 and funds fully distributed.
- 22 d. Morgan v. Aramark Campus, LLC, USDC, CENTRAL DISTRICT, Case No.
23 SACV08-00412. Wage and Hour Class Action case seeking past wages for meal
24 and rest period violations for retail employees in the State of California.
25 Plaintiff's Counsel appointed as Lead Counsel. Case settled, Final Approval
26 granted, no objections and funds fully distributed.
- 27 e. West v Iron Mountain Information Management, Inc, et. al.; Los Angeles County
28

1 Superior Court, Case No. BC393709. Wage and Hour Class Action seeking past
2 wages for overtime, meal, and rest break violations for driver employees in the
3 State of California. Stipulation for “binding arbitration.” Arbitration Award for
4 Plaintiff Class. Arbitration Award confirmed. Plaintiff’s counsel lead trial counsel
5 and class counsel.

6 f. Gonzalez v. Superior Industries International, Inc., et al., Los Angeles County
7 Superior Court, Case No. BC 357912. Wage and Hour Class Action seeking past
8 wages for overtime, meal, and rest breaks violations for production employees in
9 the State of California. Plaintiff’s counsel appointed as lead counsel. Case settled,
10 Final Approval granted, no objections and funds fully distributed.

11 g. Acosta v. Fleetwood Travel Trailers of California, Inc., et al., Riverside County
12 Superior Court, Case No. RIC 440630. Wage and Hour Class Action seeking past
13 wages for overtime, meal, and rest break violations for production employees in
14 the State of California. Plaintiff’s counsel appointed as co-lead counsel. Case
15 settled, Final Approval granted, no objections and funds fully distributed.

16 h. Walker v. Sharkeez, et al., Orange County Superior Court, Case No. 05CC00293.
17 Wage and Hour Class Action seeking past wages for unlawful deductions, meal,
18 and rest break violations for restaurant employees in the State of California.
19 Plaintiff’s counsel appointed as lead counsel. Case settled. Final Approval granted
20 and funds fully distributed.

21 i. Padron v. Universal Protection Service, et al, Orange County Superior Court,
22 Case No. 05CC00013. Wage and Hour Class Action seeking past wages for
23 overtime, meal, and rest break violations for security officers in the State of
24 California. Plaintiff’s counsel appointed as co-lead counsel. Case settled, Final
25 Approval granted, no objections and funds fully distributed.

26 j. Martinez v. Securitas Security Services USA, et al., Santa Clara Superior Court,
27 Case No. 15-CV047499, et al. J.C.C.P. No. 4460. Wage and Hour Class Action
28

1 seeking past wages for meal and rest break violations for security officers
2 employed by defendant in the State of California. Plaintiff's counsel and co-
3 counsel. Case settled, Final Approval granted and funds fully distributed.

4 k. Velasquez-Lopez v. Hotel Cleaning Services, Inc. et al., Riverside Superior Court,
5 Case No. RIC 420909. Wage and Hour Class Action seeking past wages for
6 overtime, meal and rest break violations for housekeepers employed by defendant
7 in the State of California. Plaintiff's counsel appointed as lead counsel. Case
8 settled, Final Approval granted, no objections and funds fully distributed.

9 l. Ruiz, et al. v. Unisource Worldwide, Inc., et al., USDC, CENTRAL DISTRICT,
10 Case No. CV09-05848. Wage and Hour Class Action seeking past wages for meal
11 and rest period violations for non-exempt employees employed by defendant in
12 the state of California. Case settled. Awaiting Preliminary Approval hearing.
13 Plaintiff has petitioned the Court for Lead Counsel.

14 m. Herrador v. Culligan International Company, et al., USDC, CENTRAL
15 DISTRICT, Case No. SACV 08-680. Wage and Hour Class Action seeking past
16 wages for field and branch employees of defendant in the State of California.
17 Plaintiff's counsel appointed as lead counsel. Case settled. Final Approval
18 granted.

19 n. Defries v. Domain Restaurants, et al., Orange County Superior Court, Case No.
20 05CC00128. Wage and Hour Class Action seeking past wages for restaurant
21 employees of defendant in the State of California. Plaintiff's counsel appointed as
22 lead counsel. Case settled, Final Approval granted, no objections and funds fully
23 distributed.

24 o. Denton v. BLB Enterprises, Inc., et al., Orange County Superior Court, Case No.
25 07CC01292. Wage and Hour Class Action seeking unpaid overtime, meal and rest
26 break violations for security guards employed by defendant in the State of
27 California. Plaintiff's counsel appointed as lead counsel. Case settled, Final
28

- 1 Approval granted, no objections and funds fully distributed.
- 2 p. Rios v. Sandberg Furniture Manufacturing Co., Inc, et al., Los Angeles Superior
- 3 Court, Case No. BC411477. Wage and Hour Class Action seeking unpaid meal
- 4 and rest break violations for production employees employed by defendant in the
- 5 State of California. Plaintiff counsel appointed as lead counsel. Case settled, Final
- 6 Approval granted, no objections and funds fully distributed.
- 7 q. McMurray v. Dave and Busters, Inc., et al., Orange County Superior Court, Case
- 8 No. 06CC00099. Wage and Hour Class Action seeking past wages for meal and
- 9 rest break violations for restaurant employees employed by defendant in the State
- 10 of California. Plaintiff's counsel appointed as co-lead counsel. Case settled, Final
- 11 Approval granted, no objections and funds fully distributed.
- 12 r. Osuna v. DFG Restaurants, Inc., et al., Los Angeles Superior Court, Case No. BC
- 13 330145. Wage and Hour Class Action seeking past wages of overtime for
- 14 misclassification of managers employed by Defendant, DBA Carl's Jrs. in the
- 15 State of California. Plaintiff's counsel appointed as co-lead counsel. Case settled,
- 16 Final Approval granted, no objections and funds fully distributed.
- 17 s. Burns v. Gymboree Operations, Inc., et al., San Francisco Superior Court, Case
- 18 No. CGC-07-461612. Wage and Hour Class Action seeking past wages for meal
- 19 and rest break violations for retail employees employed by defendant in the State
- 20 of California. Plaintiff's counsel appointed lead counsel. Case settled, Final
- 21 Approval granted, no objections and funds fully distributed.
- 22 t. Willems v. Diedrich Coffee, Inc., et al., Orange County Superior Court, Case No.
- 23 07CC00015. Wage and Hour Class Action seeking past wages of overtime for
- 24 misclassification of managers employed by Defendant in the State of California.
- 25 Plaintiff's counsel appointed lead counsel. Case settled, Final Approval granted,
- 26 no objections and funds fully distributed.
- 27 u. Davila, et al. v. Beckman Coulter, Inc., et al., Orange County Superior Court,
- 28

- 1 Case No. 07CC01347. Wage and Hour Class Action seeking past wages for
2 overtime, meal and rest break violations for production workers employed by
3 defendant in the State of California. Plaintiff's counsel appointed lead counsel.
4 Cased settled, Final Approval granted, no objections and funds fully distributed.
- 5 v. Perez v. Naked Juice Company of Glendora, Inc., Los Angeles Superior Court,
6 Case No. BC387088. Wage and Hour Class Action seeking past wages for
7 overtime, meal and rest period violations for production employees employed by
8 defendant in the State of California. Plaintiff counsel appointed as lead counsel.
9 Case settled. Final Approval granted, no objections and funds fully distributed.
- 10 w. Placencia v. Amcor Packaging Distribution, Inc., Orange County Superior Court,
11 Case No. 30-2013-00694012-CU-OE-CXC. Wage and Hour Class Action
12 seeking past wages for overtime, meal and rest period violations, and penalties on
13 behalf of non-exempt production, maintenance, shipping, and receiving
14 employees employed by Defendant in California. Plaintiff counsel appointed as
15 lead counsel. Case settled. Final Approval granted, no objections and funds fully
16 distributed.
- 17 x. Trani v. Lisi Aerospace, et al., Los Angeles Superior Court, Case No. BC495527.
18 Wage and Hour Class Action seeking past wages for overtime, meal and rest
19 period violations, and penalties on behalf of non-exempt manufacturing
20 employees employed by Defendant in California. Plaintiff counsel appointed as
21 lead counsel. Case settled. Final Approval granted, no objections and funds fully
22 distributed.
- 23 y. Galvan v. Goodwin Co., Orange County Superior Court, Case No. 30-2013-
24 00637062-CU-OE-CXC, Wage and Hour Class Action seeking past wages for
25 meal period violations, and non-compliant wage statements on behalf of non-
26 exempt production employees employed by Defendant in California. Plaintiff
27 counsel appointed as lead counsel. Case settled. Final Approval granted, no
28

1 objections and funds fully distributed.

- 2 z. Reyes v. Bristol Fiberlite, Orange County Superior Court, Case No. 30-2013-
3 00653425-CU-OE-CXC. Wage and Hour Class Action seeking past wages for
4 overtime, meal and rest period violations, inaccurate wage statements, and
5 penalties on behalf of non-exempt employees employed by Defendant in
6 California. Plaintiff counsel appointed as lead counsel. Case settled. Final
7 Approval granted, no objections and distribution of funds completed.
- 8 aa. Gutierrez v. HMT Tank, USDC Central Dist., Case No. CV14-1967-CAS(MAN).
9 Wage and Hour Class Action seeking past wages for meal and rest period
10 violations, failure to indemnify necessary expenses, inaccurate wage statements,
11 and penalties on behalf of non-exempt employees working in positions related to
12 servicing, refabricating, and repairing storage tanks employed by Defendant in
13 California. Plaintiff counsel appointed as lead counsel. Case settled. Final
14 Approval granted, no objections and funds fully distributed.
- 15 bb. Williams v. Il Fornaio America Corp., Sacramento County, Case No. 34-2011-
16 0009616. Wage and Hour Class Action seeking past wages for overtime, meal and
17 rest period violations, reimbursements, and penalties on behalf of non-exempt
18 restaurant employees employed by Defendant in California. Plaintiff counsel
19 appointed as lead counsel. Case settled. Final Approval granted, and funds fully
20 distributed.
- 21 cc. Aguilar v. 7-Eleven, Inc., Orange County, Case No. 30-2009-002687141-CU-OE-
22 CXC. Wage and Hour Class Action seeking past wages for overtime, meal and
23 rest period violations, and penalties on behalf of non-exempt retail clerks
24 employed by Defendant in California. Plaintiff counsel appointed as lead counsel.
25 Case settled. Final Approval granted, no objections and funds fully distributed.
- 26 dd. Madrigal v. Huntington Beach Market Broiler, Inc., Orange County, Case No. 30-
27 2012-00611260. Wage and Hour Class Action seeking past wages for overtime,
28

1 meal and rest period violations, reimbursements, and penalties on behalf of non-
2 exempt employees employed by Defendant in California. Plaintiff counsel
3 appointed as lead counsel. Case settled. Final Approval granted, no objections and
4 funds fully distributed.

5 ee. Vang v. Jazz Semiconductor, Inc., Orange County, Case no. 30-2011-00460278.
6 Wage and Hour Class Action seeking past wages for overtime, meal and rest
7 period violations, reimbursements, and penalties on behalf of non-exempt
8 production workers employed by Defendant in California. Plaintiff counsel
9 appointed as lead counsel. Case settled. Final Approval granted, no objections and
10 funds fully distributed.

11 ff. Cano v. Financial Statement Services, Inc., Orange County, Case No. 30-2013-
12 00653349-CU-OE-CXC.

13 gg. Gonzalez v. Quality Aluminum Force, LLC, Orange County, Case No. 30-2015-
14 00817941-CU-OE-CXC.

15 hh. Smith v. Space Exploration Technologies Corp., Los Angeles County Case No.
16 BC554258.

17 ii. Madrigal v. Balda C Brewer, Inc., Orange County Case No. 30-2015-00820218-
18 CU-OE-CXC.

19 jj. Mendez v. Liberty Glass Fabricators, Inc., Riverside County Case No. RIC
20 1800119.

21 kk. Attia v. Neiman Marcus Group, Inc., United States District Court for the Central
22 District of California Case No. 8:16-cv-001504-DOC-FFM

23 ll. Vigueras v. Red Robin, United States District Court for the Central District of
24 California Case No. 8:17-cv-1422-JVS-DFM.

25 mm. Payne v. Marriott Ownership Resorts, Inc., San Diego County Case No. 37-2018-
26 00015175-CU-OE-CTL.

27
28 33. In sum, my firm has been the lead or co-lead counsel in hundreds of cases since its

1 inception. We have recovered hundreds of millions of dollars for employees in the State of
2 California and millions for the State as well through PAGA.

3 34. Our firm has served as class counsel in a number of significant wage and hour
4 settlements. Of particular note, in 2019, our firm was co-lead counsel in securing the largest wage
5 and hour class action settlement in California history at \$130,000,000. During this case, plaintiffs
6 appealed a decertification order. This case involved several appeals. The appellate record amassed
7 an extensive appellate record comprising a 23-volume joint appendix, a three-volume reporters'
8 transcript, five briefs, four letter briefs, two motions for judicial notice, a motion to augment the
9 record, and several additional letters informing the appellate court of new legal authority issued
10 after Dukes. The matter was argued to and submitted by the Court of Appeal on September 15,
11 2016, and on November 21, 2016, the decertification order was reversed, and the case was
12 remanded for further proceedings. (Lubin v. The Wackenhut Corporation ("Lubin"), 5 Cal. App.
13 5th 960 (2016)). Wackenhut filed a petition for review of the Court of Appeal decision to the
14 California Supreme Court. The Supreme Court denied Wackenhut's petition for review of Lubin.
15 The Court of Appeal issued remittitur on April 10, 2017. Eventually through more litigation, the
16 parties were able to secure the \$130 million settlement that was approved on October 21, 2019, by
17 Judge Highberger in the Los Angeles Superior Court.

18
19 35. Additionally, in early 2020, our firm served as lead counsel in a class action jury
20 trial in the Central District of California involving the class and PAGA representative claims of
21 over 23,000 employees which successfully resolved in the midst of trial for \$8,500,000.

22 36. Our firm has settled many high-stakes class and representative actions. Hawkins'
23 settlements have directly compensated hundreds of thousands of California workers and
24 consumers. Hawkins' actions have also forced employers to modify their policies for the benefit
25 of employees including changing the compensation structure for certain employees and changing
26 practices to ensure that workers will be able to take timely rest and meal breaks. A leader in
27 prosecuting class and PAGA enforcement actions, Hawkins has secured millions of dollars for
28 workers and in civil penalties for the State of California.

1 37. Based on our experience, demonstrated competence, resources to prosecute the
2 claims at issue and reputation among our colleagues in the both the defense and plaintiffs' bar, I
3 respectfully submit our firm's experience in the field of wage and hour cases provides us the ability
4 to prosecute claims swiftly and often times without the need for protracted litigation as here.
5 Although, as demonstrated in the Wackenhut cases, we do not give up fighting for class members
6 when challenged and necessary. As such, we respectfully submit that we are adequate Class
7 Counsel.

8 **THE ATTORNEYS' FEES AND LITIGATION COSTS CLASS COUNSEL SEEK ARE**
9 **REASONABLE, FAIR AND ADEQUATE**

10 38. Class Counsel seeks an award of attorneys' fees of \$1,000,000 (33-1/3% of the
11 Gross Settlement Amount) and costs of \$22,513.47. The fee is warranted and reasonable
12 because of the substantial work and effort incurred to achieve the Settlement on behalf of the
13 Class, the litigation risks and complexities of prosecuting these types of cases, the
14 contingency nature of any fee, Class Counsel's skill and experience in handling cases of this
15 type, and fees commonly awarded in analogous wage and hour lawsuits and settlements. Class
16 Counsel's fees and costs request is further warranted by the significant benefits achieved on
17 behalf of the Class Members. These expenses primarily involve the costs incurred for initial filing
18 fees, mediation fees, and also include the amounts paid for court filing fees and service charges,
19 all of which are costs normally billed to and paid by the client.

20 39. Although case law supports as high as a 50% fee award on common settlement
21 funds of less than \$10 million, Class Counsel requests an attorneys' fees award of \$1,000,000
22 which is one-third of the common fund Settlement.

23 40. Class Counsel's fees request is reasonable considering: (a) the work involved
24 in achieving an excellent result for the Class and bringing the action to an efficient resolution,
25 (b) the associated risks to my firm in taking a matter on a contingency basis, (c) the substantial
26 benefits conferred on the Settlement Class, and (d) the overwhelmingly positive response by
27 Settlement Class Members to the Settlement.
28

1 41. In my opinion, the requested fee award takes into account the excellent result
2 and the risks undertaken in bringing this case on a contingency basis, advancing all costs and
3 deferring payment for the time that Class Counsel has worked on this case, with no guarantee
4 that any of the fees and costs incurred would ever be recovered.

5 42. Plaintiffs signed a retainer agreement providing for an attorneys' fee request
6 up to 40% of any recovery achieved in this case. Plaintiffs were not able and are not
7 responsible for paying our fees, and Class Counsel would only collect attorneys' fees if we
8 were successful in prosecuting her claims. In addition, taking on this case meant that my firm
9 had to turn away other fee-generating work because the case required Class Counsel to
10 dedicate sufficient resources to the prosecution of this case.

11 43. James Hawkins APLC has spent **535.7** hours prosecuting this case resulting in
12 a lodestar of **\$366,130**. This does not include anticipated attorney time to take the case through
13 the final approval process, attend any supplemental hearings, and manage post settlement
14 matters.

15 44. James Hawkins APLC's skill and experience support their hourly rates ranging
16 from \$450 to \$1,050, which are in line with the rates typically approved in wage and hour
17 class action litigation in California.

18 45. I am the Founding Partner at James Hawkins, APLC. I graduated from the
19 University of California, Los Angeles in 1993 and received my law degree from Whittier Law
20 School in 1997. I was also a full-time Judicial Extern for United States District Judge Consuelo
21 B. Marshall and the United States Attorney's Office. I have been a member of the State Bar of
22 California since 1997. From 1997 to 2007, I was a named partner at Hawkins & Sofonio, a law
23 firm based out of Irvine, California. At Hawkins & Sofonio, I pioneered the employment
24 department litigating plaintiff related employment issues such as wrongful termination, age
25 discrimination, disability, wage and hour, and sexual harassment claims. Through the success and
26 experience I obtained litigating employment related matters, I commenced litigating wage and
27 hour class actions in 2002. Since then, I have spent the vast majority of my practice litigating
28

1 Wage and Hour Class Actions. In 2007, I incorporated my wage and hour class action practice as
2 James Hawkins, APLC. Since its inception, this law firm has been exclusively involved in class
3 action and complex litigation. In 2009, I opened an additional office in Miami, Florida,
4 prosecuting wage and hour class actions. Since 2002, I have been lead or co-lead counsel in
5 hundreds of wage and hour class actions.

6 46. I have devoted 135.3 hours in prosecuting this case on behalf of Plaintiffs,
7 Class Members, and the State of California. The following is a summary of my activities in
8 litigating this matter: review client intake; conduct initial client interviews and intake for both
9 DeMartini and Soto cases; review client documents and analyze potential claims; oversee
10 complaint drafting and PAGA notices; conduct strategy discussions regarding case management;
11 extensive preparation for and participation in mediation including damage model analysis and
12 expert consultations; extensive review and analysis of settlement terms; multiple conferences with
13 co-counsel regarding settlement strategy; review and oversight of preliminary approval process;
14 client communications regarding case status and settlement; and anticipated future work through
15 final approval and distribution. My hourly rate is \$1050 per hour. The number of hours I have
16 expended for work performed and the corresponding attorney's fees of \$142,065 are reasonable
17 and necessary.

18 47. Christina Lucio is Of Counsel to James Hawkins APLC, APC and has devoted
19 130.4 hours in prosecuting this case on behalf of Plaintiffs and the Settlement Class. Ms.
20 Lucio graduated from the University of California, Riverside in 2003 and received her law degree
21 from the University of Southern California, Gould School of Law (USC Law School) in 2007.
22 She has been a member of the State Bar of California since 2007 and am a member of the Labor
23 and Employment Law section of the California Bar Association and American Bar Association.
24 She was selected as a "Rising Star" for 2015 by Super Lawyers Magazine. Ms. Lucio's practice
25 is focused primarily on employment law including wrongful termination, discrimination,
26 retaliation, wage and hour violations (individual and class action), and sexual harassment claims.
27 In recent years, a substantial part of my practice has been focused on class actions, including wage
28

1 and hour litigation. The following is a summary of Ms. Lucio's activities in litigating this matter:
2 review and revise multiple case management conference statements; conduct numerous
3 conferences with defense counsel regarding settlement and case status; prepare for and attend
4 multiple case management conferences; review and revise settlement agreement and notice
5 documents; coordinate with settlement administrator; draft and revise preliminary approval
6 motion and supporting documents; compile exhibits and supporting documentation; review and
7 analyze class data; conduct client conferences regarding settlement terms; and oversee settlement
8 administration process. Ms. Lucio's hourly rate is \$775 per hour. The number of hours she has
9 expended for work performed and the corresponding attorney's fees of \$101,060 are reasonable
10 and necessary.

11 48. Samantha Smith is a former attorney at James Hawkins APLC. She was
12 responsible for the day to day activity on this case prior to leaving the firm. Ms. Smith was
13 admitted to the California Bar in December of 2004. She received her J.D. from the University
14 of California, Hastings College of the Law and her Bachelor of Arts from the University of
15 California, Davis. Since 2005, she has worked exclusively on class action cases, and her
16 experience includes over a decade of successful work on class action appeals, class
17 certification motions and class settlements. The following is a summary of Ms. Smith's
18 activities in litigating this matter: conduct initial case research and analysis; draft initial
19 complaint and related documents; review and respond to discovery disputes; review produced
20 discovery and prepare discovery responses, preparation for PMK deposition, participate in
21 discovery meet and confer, draft consolidated complaint; analyze expert damages
22 calculations; prepare scheduling conference statement; coordinate mediation scheduling;
23 review informal discovery requests; client communications regarding case status, attend
24 routine court appearances. Ms. Smith's hourly rate is \$750 per hour. The number of hours
25 expended by Ms. Smith for work performed and the corresponding attorney's fees of \$74,850
26 are reasonable and necessary.
27

28 49. Mitchell Murray is Of Counsel to James Hawkins APLC. Mr. Murray is a 2007

graduate of the University of California, San Diego and 2012 graduate of California Western School of Law. He was admitted to the State Bar of California in 2012. He is a member of the Consumers Attorneys of San Diego. He was selected as a “Rising Star” in 2019 by Super Lawyers Magazine. Since 2016, Mr. Murray’s practice has focused primarily employment law, particularly in the area of wage and hour class and representative actions. Mr. Murray has dedicated 4.6 hours in prosecuting this action by doing the following tasks: attend preliminary approval hearing; review and revise proposed preliminary approval order; review settlement agreement regarding scheduling; correspondence with counsel regarding proposed final approval hearing dates; review and revise notice of related cases; correspondence with defense counsel regarding settlement status; and review status reports. Mr. Murray’s hourly rate is \$725 per hour. The number of hours expended by Mr. Murray for work performed and the corresponding attorney’s fees of \$3,335 are reasonable and necessary.

50. Our associates have invested approximately 46.8 hours in the litigation of this action. Their hourly rate is \$450.00 per hour. The following is a summary of their tasks and activities in prosecuting this matter: attend mediation with co-counsel; draft and revise mediation brief; review case file and damages model; conduct file review for mediation preparation; draft initial versions of preliminary approval motion papers; and conferences regarding case status; prepare for and attend multiple case management conferences and hearings; review case status and participate in strategy discussions; prepare for and attend OSC hearings regarding dismissal; review preliminary approval documents; and attend preliminary approval proceedings. The number of hours expended by our associates for work performed and the corresponding attorney's fees of \$21,060 are reasonable and necessary.

51. The amount of hours Class Counsel has spent working on this litigation was necessary and reasonable in pursuit of the Settlement. We keep contemporaneous time records and will produce such records to the Court for *in camera* inspection if the Court requests.

52. Based on those hours, my firm has incurred the following attorney lodestar hours of approximately \$366,130 in attorneys’ fees. The following table summarizes the hours and

fees now documented for the Court's review:

Attorney Name	Total Hours	Hourly Rate	Lodestar
James R. Hawkins	135.3	\$1,050	\$142,065
Christina M. Lucio	130.4	\$775	\$101,060
Samantha Smith	99.8	\$750	\$74,850
Mitchell J. Murray	4.6	\$725	\$3,335
Paul A. Brown	26.8	\$450	\$12,060
Danielle Piskor	20	\$450	\$9,000
Paralegals	118.8	\$200	\$29,720
Total	460		\$366,130

53. In addition to the requested attorneys' fees, James Hawkins APLC has expended \$16,947.70 in costs in prosecuting this action, including fees associated with mediation, filing fees, and service charges, which are normally billed to and paid by the client. We anticipate an additional \$250.63 in costs associated with the Final Approval Motion. A summary of the costs incurred by our firm to date and anticipated costs in this action is attached herewith as **Exhibit 1**. These costs have been necessary costs associated with the prosecution of this important matter. I respectfully request that the Court grant the request for reimbursement of these costs in accordance with the Settlement Agreement.

54. Plaintiffs' Counsel has been approved as Class Counsel by other Courts including *McGrath, et al. v. Wyndham Resort Development Corporation, et al.*, United States District Court, Southern District of California Case No. 15-cv-1631-JM-KSC; *Keody v. Davis Trucking, LLC*, San Diego Superior Court Case No. 37-2014-00029149-CU-OE-CTL; *Mata, et al. v. Living Ecology Manufacturing, Inc., et al.* Riverside Superior Court Case No. RIC1610281; *Johnson, et al. v. U.S. Bank National Association*, United States District Court, Southern District of California Case No. 19-cv-286-JSL-LL; and *Payne v. Marriott Ownership Resorts, Inc.*, Orange County Superior Court Case No. 37-2018-00015175-CU-OE-CTL, and numerous other Courts.

55. We respectfully submit that our hourly rates are reasonable in light of the hourly rates charged in the marketplace for comparable skill, years of experience and services. A true and correct copy of the 2023 Wolters Kluwer Real Rate Report, attached as **Exhibit 2**, and the Laffey Matrix, attached as **Exhibit 3**.

1 56. Class Counsel respectfully requests the Court award its fees in accordance with
2 the percentage of the common fund approach, based upon a reasonable contingency fee on the
3 Settlement Amount. (*See Laffitte v. Robert Half International, Inc.* (2016) 1 Cal. 5th 480). The
4 total billable hours Class Counsel has invested and will continue to invest in prosecution of this
5 action, should they be approved by the Court, have been substantial. As detailed above, Class
6 Counsel has spent significant time over nearly two years prosecuting this case. Plaintiffs and
7 Class Counsel respectfully submit the fees provision of the Settlement is fair and can be cross-
8 checked for reasonableness under lodestar.

9 57. My firm has been the only counsel to represent Plaintiffs and the Class in this
10 matter, and we have borne the entire risk and cost of this litigation on a pure contingency basis.
11 The issues and arguments Class Counsel has encountered and overcome in arriving at the parties'
12 negotiated settlement terms were also many and complex and required skillful advocacy that can
13 arise only out of experience, professional perspective, and success. Such claims are complex,
14 evidence intensive, and nuanced, and can be very challenging to certify.

15 58. To date, Class Counsel has not received any compensation and expended
16 litigation costs on behalf of the Class. Class action contingency cases are inherently risky. Upon
17 retention, counsel makes a commitment to litigate the case through trial. These types of cases can
18 take years, hundreds of hours of work and enormous amount of money. The risks involved
19 coupled with the contingency basis of the case further support Class Counsel's request for
20 attorneys' fees and costs.

21 59. In sum, despite the complexity of the case, Class Counsel has, through the
22 investment of substantial effort and the resources of my law firm, been able to secure an
23 outstanding settlement on behalf of the Class. Plaintiffs would have faced substantial legal and
24 factual obstacles in demonstrating that class treatment or representative treatment was
25 appropriate. Plaintiffs would also have been required to establish a significant amount of witness
26 testimony, pattern and practice evidence, statistical evidence, sampling evidence, expert
27 testimony, and other evidence in order to present their case both at the class certification stage
28 and trial. Defendants have vigorously contested liability, the amount of claimed damages, and

1 the propriety of class certification or representative treatment, and would have continued to do so
2 through trial. Class Counsel's prior experiences allowed us to competently evaluate the claims,
3 settlement versus trial on a fully informed basis, and the viability of Defendants' defenses. As
4 such, we respectfully submit the Court should grant the motion for Attorneys' Fees, Costs and
5 Service Payments as requested.

6
7 I declare under penalty of perjury that the foregoing is true and correct. Executed on
8 December 23, 2024 at Irvine, California.

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10 
11 James R. Hawkins
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EXHIBIT 1

Matter Billing Detail

Report Date: 12/19/2024
Report Time: 1:33PM
Page: 1 of 2
User ID: R. Hawkins

JAMES HAWKINS APLC

Date Range: 01/01/1900 to 12/19/2024

Client: DEMARTINI001 - Marie DeMartini

Matter: AIRGAS0016 - Safelite Fulfillment, Inc. dba Safelite Auto Glass- Marie DeMartini

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
		Balance Forward:	\$0.00						
05/27/2020	POS	Postage- LWDA	\$8.99		Unbilled				
05/27/2020	FST	First Legal Network - Filing, Complaint, Civil Case, Summons IN#30128864	\$96.65		Unbilled				
05/27/2020	FST	First Legal Network- SERVED- Complaint; civil case cover sheet; summons; ADD BILLING- Complaint; civil case cover sheet; summons; IN#30133807	\$679.01		Unbilled				
06/03/2020	FIL	Filing Fee LWDA CK#8672	\$75.00		Unbilled				
04/09/2021	FST	First Legal Network - PDF courtesy , Joint CMC statement IN#30157230	\$21.75		Unbilled				
05/28/2021	FED	FED EX Reply to Plf Mtn to Consolidate- Chamber Copy sent	\$23.03		Unbilled				
08/26/2021	EXA	Expert Analysis- IN# 4577 CK#9395	\$337.50		Unbilled				
01/10/2022	MED	Mediation Services Mediation with Judicate West 01/31/22 CK#9731	\$4,875.00		Unbilled				
04/07/2022	FST	First Legal Network - Courtesy Delivery - Joint Report, NEF IN# 30195930	\$48.75		Unbilled				
05/13/2022	FST	First Legal Network- Process served Stipulation and Prop Order IN30199329	\$22.75		Unbilled				
01/25/2023	FST	First Legal Network - E-Filing - Plf CMC Statement IN# 30224217	\$40.70		Unbilled				
05/18/2023	FST	First Legal Network - E-Filing - Plfs CM Statement IN# 30237327	\$40.70		Unbilled				
05/26/2023	FST	First Legal Network - Courtesy Delivery - Joint CMC Statement, NEF IN# 30237327	\$51.76		Unbilled				
10/30/2023	FST	First Legal Network - Filing - Stip to Consolidate & File FAC IN# 30260163	\$40.70		Unbilled				
01/16/2024	FST	First Legal Network - Filing - first Amedned Complaint IN# 30267292	\$42.90		Unbilled				
05/29/2024	FST	First Legal Network - Filing - Motion IN# 30283542	\$88.70		Unbilled				
		Total:	<u>\$6,493.89</u>	<u>\$0.00</u>					
		Balance:	<u>\$6,493.89</u>						

Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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Total Soft Cost Unbilled : - - - - -			\$0.00						
Total Soft Cost Received : - - - - -			\$0.00						
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Total Taxes Received : - - - - -			\$0.00						
Total Late Charges Billed : - - - - -			\$0.00						
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Matter Billing Detail

Report Date:12/19/2024

Report Time:1:14PM

Page:1 of 2

User ID:R. Hawkins

JAMES HAWKINS APLC

Date Range:01/01/1900 to 12/19/2024

Client:SAFELITE - Jose Soto

Matter:SAFELITE AUTOGL - Safelite Fullfillment-SOTO - Safelite Auto glss

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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08/09/2022	FIL	Filing Fee-- LWDA -- 8.4.22	\$75.00		Unbilled				
08/09/2022	POS	Postage-- 8.4.22 postage for cert mail	\$38.60		Unbilled				
10/06/2022	CRT	Court Documents - Initial Case Management Order	\$4.00		Unbilled				
11/14/2022	FST	First Legal Network - Filing - Notice and Acknowledgment IN# 30219274	\$81.21		Unbilled				
02/10/2023	FST	First Legal Network - Process Serve - Complaint, Initial Docs IN# 30227367	\$494.05		Unbilled				
08/22/2023	FST	First Legal Network - Filing - Safelite Fulfillment IN# 30248438	\$86.11		Unbilled				
09/28/2023	FST	First Legal Network - Filing - Plt Ntc of OSO re Dismissal IN# 30256289	\$119.71		Unbilled				
10/30/2023	FST	First Legal Network - Filing - Case Management Conference Electron IN# 30263586	\$84.65		Unbilled				
07/26/2024	FST	First Legal Network - Filing -Dec of Christina M Lucio IN# 30295109	\$43.20		Unbilled				
		Total:	\$2,710.04	\$0.00					
		Balance:	\$2,710.04						

Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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Trust Balance: - - - - -			\$0.00						

Matter Billing Detail

Report Date:12/19/2024

Report Time:1:33PM

Page:1 of 2

User ID:R. Hawkins

JAMES HAWKINS APLC

Date Range:01/01/1900 to 12/19/2024

Client:DEMARTINI001 - Marie DeMartini

Matter:ARS008 - Safelite Fulfillment, Inc.-PAGA- Marie DeMartini

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
		Balance Forward:	\$0.00						
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09/14/2020	FST	First Legal Network - Paga Complaint filing and Complex fees	\$1,100.00		Unbilled				
09/25/2020	FST	First Legal Network Process Service: complaint and initial docs, Filed Proof of Service IN#30139041	\$279.04		Unbilled				
02/10/2021	FST	First Legal Network -Filing, Plf opp IN#30151807	\$93.85		Unbilled				
02/07/2022	FST	First Legal Network - Filing branch PDF same day, Plt's CMC statement and request to continue IN#30188503	\$93.47		Unbilled				
04/04/2022	EXA	Expert Analysis - CK#9880 IN#5735	\$1,950.00		Unbilled				
10/20/2022	FST	First Legal Network - Filing - Plf's Case Management Statement IN# 30216387	\$129.47		Unbilled				
03/19/2024	FST	First Legal Network - Filing - CM Statement and POS IN# 30275374	\$89.45		Unbilled				
05/09/2024	FST	First Legal Network - Filing - Motion, Memorandum, Declaration IN# 30283542	\$999.15		Unbilled				
07/31/2024	LDS	Legal Document Server - eFiling - Case Management Statement IN# 10113287	\$14.15		Unbilled				
08/21/2024	LDS	Legal Document Server - E-Filing - Order IN# 10248435	\$15.70		Unbilled				
08/27/2024	LDS	Legal Document Server - E-Filing - Notice of Entry of Judgment or Order IN# 10275460	\$15.70		Unbilled				
08/27/2024	LDS	Legal Document Server - E-Filing - Notice of entry of Judgment or Order IN# 10275460	\$15.70		Unbilled				
12/19/2024	FIL	Filing Fee - Future estimated costs - Motion for Approval of Settlement, Supplemental Documents, Notice of Entry of Order and Judgment, Declaration regarding disbursement, and order granting approval	\$250.35		Unbilled				
		Total:	\$5,706.63	\$0.00					
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Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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Total Taxes Received : - - - - -			\$0.00						
Total Late Charges Billed : - - - - -			\$0.00						
Total Late Charges Unbilled: - - - - -			\$0.00						
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Trust Balance: - - - - -			\$0.00						

Matter Billing Detail

Report Date:12/19/2024

Report Time:1:13PM

Page:1 of 2

User ID:R. Hawkins

JAMES HAWKINS APLC

Date Range:01/01/1900 to 12/19/2024

Client:SAFELITE - Jose Soto

Matter:SAFELITEPAGA003 - Safelite Fullfillment- PAGA - SOTO - Safelite Auto glss

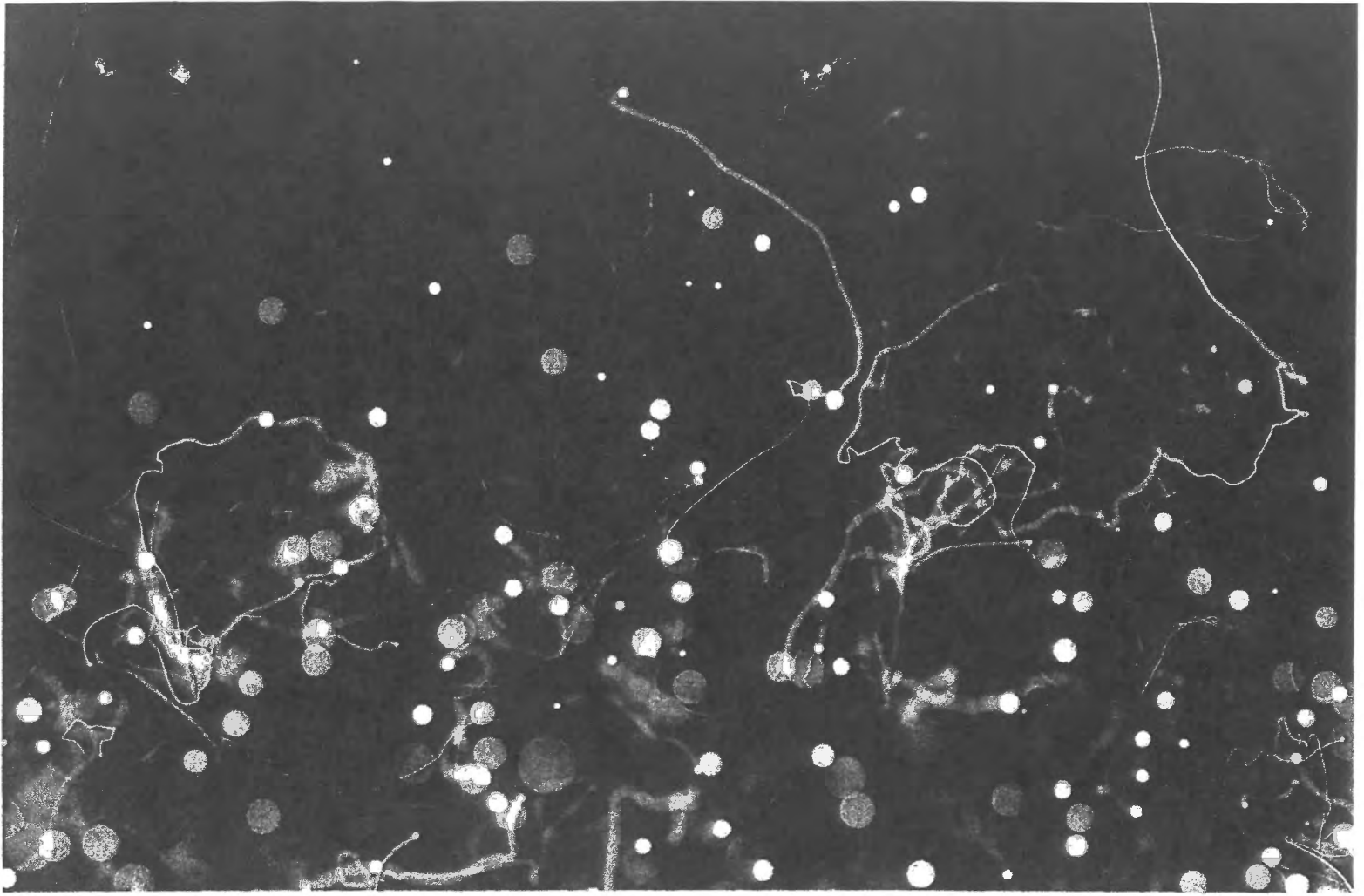
Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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02/22/2023	FST	First Legal Network - Additional billing - PAGA Complaint and Initial Docs IN# 30227367	\$478.50		Unbilled				
04/07/2023	FST	First Legal Network - Additional Billing - PAGA Complaint and Initial Docs IN# 30233810	\$1,100.00		Unbilled				
05/03/2023	FST	First Legal Network - Filing - Plfs Req to Cont ICMC, NAR x2 IN# 30237327	\$220.62		Unbilled				
11/03/2023	FST	First Legal Network - Filing - Notice of Continued INitial Caseman, Joint Case Management Conference IN# 30263586	\$125.55		Unbilled				
01/03/2024	FST	First Legal Network - Filing - Notice of Related Case, Status Conference Report IN# 30275374	\$129.24		Unbilled				
03/12/2024	FST	First Legal Network - E-Filing - Notice Filed IN# 30279435	\$89.65		Unbilled				
		Total:	\$2,287.77	\$0.00					
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Matter Billing Detail

JAMES HAWKINS APLC

Date	Expense Code	Description	Debit	Credit	Billing Status	On Hold	Invoice Number	Check Number	Payee
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Total Soft Cost Unbilled : - - - - -			\$0.00						
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Total Taxes Received : - - - - -			\$0.00						
Total Late Charges Billed : - - - - -			\$0.00						
Total Late Charges Unbilled: - - - - -			\$0.00						
Total Late Charges Received : - - - - -			\$0.00						
Trust Balance: - - - - -			\$0.00						

EXHIBIT 2



ELM Solutions

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2023 Real Rate Report[®]



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Vice President, Segment Leader
LegalVIEW® BillAnalyzer
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Business Systems Quantitative Analyst
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A Letter to Our Readers

Welcome to the latest edition of Wolters Kluwer ELM Solutions Real Rate Report®, the industry's leading data-driven benchmark report for lawyer and paralegal rates.

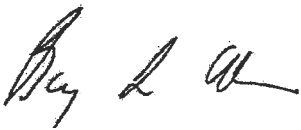
Our Real Rate Report has been a relied upon data analytics resource to the legal industry since its inception in 2010 and continues to evolve, providing you with the most comprehensive rate benchmarking insights, trends, and practices. The Real Rate Report is powered by the Wolters Kluwer ELM Solutions LegalVIEW® data warehouse, which has grown to include \$160B+ in anonymized legal data.

The depth and granularity of the data within the Real Rate Report empowers users to benchmark and negotiate effectively and make well-informed investment and resourcing decisions for the organization.

As with previous Real Rate Reports, our data is sourced from corporations' and law firms' e-billing and time management solutions. We have included lawyer and paralegal rate data filtered by specific practice and sub-practice areas, metropolitan areas, and types of matters. This level of detail gives legal departments and law firms the precision they need to identify areas of opportunity. We strive to make the Real Rate Report a valuable and actionable reference tool for legal departments and law firms.

As always, we welcome your comments and suggestions on what information would make this publication more valuable to you. We thank our data contributors for participating in this program. And we thank you for making Wolters Kluwer ELM Solutions your trusted partner for legal industry domain expertise, data, and analytics and look forward to continuing to provide market-leading, expert solutions that deliver the best business outcomes for collaboration among legal departments and law firms.

Sincerely,



Barry Ader

Vice President, Product Management and Marketing
Wolters Kluwer ELM Solutions

Report Use Considerations

2023 Real Rate Report

- Examines law firm rates over time
- Identifies rates by location, experience, firm size, areas of expertise, industry, and timekeeper role (i.e., partner, associate, and paralegal)
- Itemizes variables that drive rates up or down

All the analyses included in the report derive from the actual rates charged by law firm professionals as recorded on invoices submitted and approved for payment.

Examining real, approved rate information, along with the ranges of those rates and their changes over time, highlights the role these variables play in driving aggregate legal cost and income. The analyses can energize questions for both corporate clients and law firm principals.

Clients might ask whether they are paying the right amount for different types of legal services, while law firm principals might ask whether they are charging the right amount for legal services and whether to modify their pricing approach.

Some key factors¹ that drive rates²:

Attorney location - Lawyers in urban and major metropolitan areas tend to charge more when compared with lawyers in rural areas or small towns.

Litigation complexity - The cost of representation will be higher if the case is particularly complex or time-consuming; for example, if there are a large number of documents to review, many witnesses to depose, and numerous procedural steps, the case is likely to cost more (regardless of other factors like the lawyer's level of experience).

Years of experience and reputation - A more experienced, higher-profile lawyer is often going to charge more, but absorbing this higher cost at the outset may make more sense than hiring a less expensive lawyer who will likely take time and billable hours to come up to speed on unfamiliar legal and procedural issues.

Overhead - The costs associated with the firm's support network (paralegals, clerks, and assistants), document preparation, consultants, research, and other expenses.

Firm size - The rates can increase if the firm is large and has various timekeeper roles at the firm. For example, the cost to work with an associate or partner at a larger firm will be higher compared to a firm that has one to two associates and a paralegal.

¹ David Goguen, J.D., University of San Francisco School of Law (2020) Guide to Legal Services Billing Retrieved from: <https://www.lawyers.com/legal-info/research/guide-to-legal-services-billing-rates.html>

² Source: 2018 RRR. Factor order validated in multiple analyses since 2010

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Section I: High-Level Data Cuts

All data and analysis based on
data collected thru Q2 2023

Section I: High-Level Data Cuts

Cities By Matter Type

2023 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2023	2022	2021
Richmond VA	Non-Litigation	Associate	41	\$382	\$539	\$689	\$557	\$505	\$474
		Partner	10	\$414	\$453	\$530	\$477	\$461	\$341
Sacramento CA	Non-Litigation	Partner	13	\$425	\$527	\$632	\$554	\$534	\$559
		Associate	11	\$286	\$353	\$425	\$355	\$341	\$321
Salt Lake City UT	Litigation	Partner	11	\$348	\$398	\$481	\$398	\$372	\$333
		Associate	12	\$240	\$290	\$300	\$294	\$252	\$247
	Non-Litigation	Partner	43	\$338	\$376	\$471	\$413	\$390	\$363
		Associate	12	\$240	\$290	\$300	\$294	\$252	\$247
San Diego CA	Litigation	Partner	42	\$278	\$438	\$551	\$533	\$533	\$572
		Associate	28	\$170	\$240	\$302	\$298	\$271	\$258
	Non-Litigation	Partner	75	\$385	\$495	\$944	\$655	\$703	\$672
		Associate	54	\$226	\$336	\$420	\$359	\$375	\$378
San Francisco CA	Litigation	Partner	115	\$436	\$750	\$1,124	\$801	\$744	\$712
		Associate	76	\$341	\$450	\$718	\$537	\$523	\$517
	Non-Litigation	Partner	173	\$563	\$796	\$1,035	\$812	\$769	\$755

Section I: High-Level Data Cuts

Cities

By Matter Type

2023 - Real Rates for Associate and Partner

Trend Analysis - Mean

City	Matter Type	Role	n	First Quartile	Median	Third Quartile	2023	2022	2021
San Francisco CA	Non-Litigation	Associate	127	\$348	\$495	\$665	\$544	\$552	\$574
		Partner	29	\$650	\$810	\$1,083	\$941	\$903	\$907
San Jose CA	Litigation	Associate	18	\$527	\$600	\$775	\$622	\$625	\$593
		Partner	46	\$700	\$909	\$1,386	\$1,064	\$1,025	\$986
	Non-Litigation	Associate	81	\$359	\$446	\$607	\$486	\$421	\$401
		Partner	44	\$343	\$481	\$595	\$485	\$450	\$446
Seattle WA	Litigation	Associate	49	\$405	\$511	\$530	\$475	\$442	\$453
		Partner	53	\$455	\$641	\$835	\$639	\$633	\$567
	Non-Litigation	Associate	12	\$198	\$200	\$250	\$221	\$228	\$237
		Partner	137	\$449	\$585	\$835	\$640	\$571	\$547
St. Louis MO	Litigation	Associate	12	\$198	\$200	\$250	\$221	\$228	\$237
		Partner	38	\$268	\$342	\$457	\$399	\$388	\$373
	Non-Litigation	Associate	12	\$198	\$200	\$250	\$221	\$228	\$237
		Partner	44	\$343	\$481	\$595	\$485	\$450	\$446
Tampa FL	Litigation	Associate	12	\$292	\$300	\$325	\$314	\$316	\$302
		Partner	27	\$356	\$458	\$609	\$503	\$482	\$471
	Non-Litigation	Partner	45	\$345	\$400	\$572	\$486	\$457	\$479

Section I: High-Level Data Cuts

Cities

By Years of Experience

2023 - Real Rates for Partner

Trend Analysis - Mean

City	Years of Experience	n	First Quartile	Median	Third Quartile	2023	2022	2021
Sacramento CA	21 or More Years	11	\$456	\$524	\$632	\$562	\$563	\$508
	Fewer Than 21 Years	17	\$365	\$375	\$412	\$375	\$368	\$334
Salt Lake City UT	21 or More Years	22	\$353	\$475	\$533	\$473	\$425	\$392
	Fewer Than 21 Years	21	\$429	\$477	\$845	\$628	\$603	\$612
San Diego CA	21 or More Years	114	\$580	\$889	\$1,059	\$854	\$803	\$772
	Fewer Than 21 Years	69	\$588	\$798	\$1,067	\$830	\$754	\$706
San Jose CA	21 or More Years	43	\$688	\$846	\$1,315	\$1,037	\$997	\$991
	Fewer Than 21 Years	17	\$736	\$987	\$1,504	\$1,068	\$1,025	\$934
Seattle WA	21 or More Years	82	\$495	\$616	\$798	\$650	\$629	\$578
	Fewer Than 21 Years	45	\$325	\$543	\$715	\$601	\$530	\$451
St. Louis MO	21 or More Years	46	\$324	\$460	\$583	\$466	\$450	\$434
	Fewer Than 21 Years	22	\$350	\$436	\$498	\$435	\$415	\$424
Tampa FL	21 or More Years	29	\$350	\$540	\$590	\$519	\$485	\$508
	Fewer Than 21 Years	21	\$315	\$348	\$595	\$439	\$428	\$394

EXHIBIT 3

LAFFEY MATRIX

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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/24- 5/31/25	1.080182	\$258	\$473	\$581	\$839	\$948	\$1141
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753

6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *DL v. District of Columbia*, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $\frac{1}{2}$ Years Out of Law School $\frac{1}{2}$ is calculated from June 1 of each year, when most law students graduate. $\frac{1}{2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $\frac{1}{2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $\frac{1}{2}$ 1-3" from June 1, 1996 until May 31, 1999, would move into tier $\frac{1}{2}$ 4-7" on June 1, 1999, and tier $\frac{1}{2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.